

recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

After reviewing the record of this matter, the applicable law, the Report and Recommendation of the Magistrate Judge, and Petitioner's objections, the court agrees with the conclusions of the Magistrate Judge. Accordingly, the court adopts and incorporates the Report and Recommendation by reference in this Order as amended.¹

Petitioner's objections raise no legally meritorious issues regarding the findings of the Magistrate Judge. Therefore, Respondent's motion for summary judgment is **granted**, all other pending motions are **denied**, and this Petition is dismissed as untimely.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
January 19, 2007

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¹The Report contains an error on page 3 in the third sentence. That sentence should read: "The Remittitur was returned on March 25, 2003."